

REMARKS

Claims 1-17 were pending in the Application prior to the outstanding Office Action. Claims 1-17 remain in the case.

The Examiner finds the Terminal Disclaimer to US 10/699,766 filed with Applicants' response dated 5 April 2006 to be improper because it was not mentioned in the office action. Applicant does not believe that this is the proper grounds for objection. Applicant has voluntarily submitted a Terminal Disclaimer to forestall any potential rejections based on obviousness type double patenting over this co-pending application. Accordingly, reconsideration of the objection to the terminal disclaimer is requested.

Rejection of Claims 1, 2, 14-15 and 17 under 35 U.S.C. §103(a)

The Examiner has rejected claims 1, 2, 14, 15 and 17 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci (US 6792527) in view of Skruhak et al. (US 5412785). Reconsideration is respectfully requested. In particular, Applicant submits that the combination of references relied upon by the Examiner does not provide the elements of independent claim 1, as explained in more detail below.

The Examiner has acknowledged our earlier arguments that the Allegrucci reference does not describe the element of claim 1 reading "memory... storing instructions for an initialization function used to transfer the configuration data to the programmable configuration points within the configurable logic array in response to an initialization event." The Examiner states, "Skruhak et al. . . . used to transfer the configuration data from then configuration memory to the programmable configuration points within the configurable logic array" citing column 2, line 30 to column 3, line 3. Applicant respectfully disagrees that Skruhak et al. teaches this limitation of claim 1.

Skruhak et al. describes a microprogrammed data processor in which the microsequencer is implemented using a programmable logic array. The passage cited by the Examiner is the summary of the invention in which the use of a PLA is described. This passage does not describe a function for transferring data to configuration points in the PLA, as would be required to support the Examiner's position. In fact nothing in the Skruhak et al. reference describes the process of transferring data to configuration points in the PLA. Indeed, one would not expect

Skruhak et al. to address the issue of how to configure a PLA. The invention described by Skruhak et al. was directed to the use of a PLA for a microsequencer.

By way of background, we enclose a copy of United States Patent No. 4,972,105 by Burton, entitled Programmable Configurable Logic Memory. The Burton patent describes programmable logic devices based on the AND/OR structure as described in Skruhak et al. As can be seen at column 1 lines 28-65, the classic PLA at the time of filing of Skruhak et al. utilized the static fuses for configuring the PLA. In a classic PLA using static fuses, there would be no initialization function at all. Programmable structures were being developed at the time as described by Burton to replace the fuses. However, there is nothing in Skruhak et al. which suggests the use of programmable structures for configuring the PLAs. Furthermore, if such programmable structures were intended by Skruhak et al., one would expect some discussion of how to configure those structures to be provided by Skruhak et al. Applicant does not find any discussion of a configuration function for the PLAs or any other configurable logic structure in Skruhak et al.

As stated in claim 1, the present invention includes a memory storing "instructions for an initialization function used to transfer the configuration data to the programmable configuration points." No similar functionality is taught by either Allegrucci or Skruhak et al.

Therefore, Applicant submits that the Examiner is mistaken in the position that the combination of Allegrucci and Skruhak et al. provides all elements of the present invention as recited in claim 1.

Claims 2, 14-15 and 17 depend from claim 1, and are patentable for at least the same reasons, and because of the unique combinations recited.

Applicant notes a reference by the Examiner to Elmer et al. in the last paragraph on page 3 of the Office Action. We believe that this must have been a typographical error. Applicant does not see a citation to Elmer et al. in the record. Applicant does not understand the point being made in the reference to Elmer et al., and requests clarification or withdrawal of the comment.

Accordingly, reconsideration of the rejection of claims 1, 2, 14-15 and 17 is respectfully requested.

Rejection of Claims 3-5 under 35 U.S.C. §103(a)

The Examiner has rejected claims 3-5 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Agrawal (US 6102963). Applicant submits that the *prima facie* case as to claims 3-5 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claims 3-5 depend, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claims 3-5 is respectfully requested.

Rejection of Claim 6 under 35 U.S.C. §103(a)

The Examiner has rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Robb et al. (US 5276839). Applicant submits that the *prima facie* case as to claim 6 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claim 6 depends, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claim 6 is respectfully requested.

Rejection of Claim 7 under 35 U.S.C. §103(a)

The Examiner has rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Robb et al. (US 5276839). Applicant submits that the *prima facie* case as to claim 7 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claim 7 depends, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claim 7 is respectfully requested.

Rejection of Claims 8-9 under 35 U.S.C. §103(a)

The Examiner has rejected claims 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Sun et al. (US 5901330). Applicant submits that the *prima facie* case as to claims 8-9 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claims 8-9 depend, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claims 8-9 is respectfully requested.

Rejection of Claim 10 under 35 U.S.C. §103(a)

The Examiner has rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Porter et al. (US PUB 20030226029). Applicant submits that the *prima facie* case as to claim 10 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claim 10 depends, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claim 10 is respectfully requested.

Rejection of Claim 11 under 35 U.S.C. §103(a)

The Examiner has rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Lawman (US 6028445). Applicant submits that the *prima facie* case as to claim 11 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claim 11 depends, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claim 11 is respectfully requested.

Rejection of Claims 12-13 under 35 U.S.C. §103(a)

The Examiner has rejected claims 12-13 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Trimberger (US 6105105). Applicant submits that the *prima facie* case as to claims 12-13 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claims 12-13 depend, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claims 12-13 is respectfully requested.

Rejection of Claim 16 under 35 U.S.C. §103(a)

The Examiner has rejected claim 16 under 35 U.S.C. §103(a) as being unpatentable over Allegrucci and Skruhak as applied to claim 1 above, and further in view of Akao et al. (US 5900008). Applicant submits that the *prima facie* case as to claim 16 is incomplete for the same reasons as discussed above with respect to independent claim 1, from which claim 16 depends, and because of the unique combinations recited. Accordingly, reconsideration of the rejection of claim 16 is respectfully requested.

CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested. If the Examiner believes a telephone conference would aid the prosecution of this case in any way, please call the undersigned at (650) 712-0340.

The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (MXIC 1521-1).

Respectfully submitted,



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